

# HOUSE BILL 1516

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By: **Delegate Parrott**

Introduced and read first time: February 7, 2020

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Opioid–Associated Disease Prevention and Outreach**  
3 **Program – Prohibition on Establishment**

4 FOR the purpose of prohibiting the establishment of an Opioid–Associated Disease  
5 Prevention and Outreach Program in Washington County; and generally relating to  
6 Opioid–Associated Disease Prevention and Outreach Programs in Washington  
7 County.

8 BY repealing and reenacting, without amendments,  
9 Article – Health – General  
10 Section 24–901(a) and (f)  
11 Annotated Code of Maryland  
12 (2019 Replacement Volume)

13 BY repealing and reenacting, with amendments,  
14 Article – Health – General  
15 Section 24–902  
16 Annotated Code of Maryland  
17 (2019 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
19 That the Laws of Maryland read as follows:

20 **Article – Health – General**

21 24–901.

22 (a) In this subtitle the following words have the meanings indicated.

23 (f) “Program” means an Opioid–Associated Disease Prevention and Outreach  
24 Program.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 24-902.

2 (a) (1) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
3 PARAGRAPH AND SUBJECT TO THE PROVISIONS OF THIS SUBTITLE, A Program may  
4 be established by a local health department or a community-based organization[, subject  
5 to the provisions of this subtitle].

6 (II) A PROGRAM MAY NOT BE ESTABLISHED IN WASHINGTON  
7 COUNTY.

8 (2) (i) A county may cooperate with another county to establish a  
9 Program.

10 (ii) A community-based organization may establish a multicounty  
11 Program.

12 (3) This subtitle does not apply to the AIDS Prevention Sterile Needle and  
13 Syringe Exchange Pilot Program established under Subtitle 8 of this title.

14 (b) (1) (i) A local health department or community-based organization  
15 shall apply to the Department and a local health officer for authorization to operate a  
16 Program.

17 (ii) A local health department or community-based organization  
18 may apply at any time for authorization to operate a Program under subparagraph (i) of  
19 this paragraph.

20 (2) The Department and a local health officer jointly shall issue an  
21 authorization determination based on the ability of a Program to meet the requirements of  
22 this subtitle.

23 (3) The Department and a local health officer shall:

24 (i) Approve or deny an application for authorization to operate a  
25 Program within 60 days after receiving a complete application; and

26 (ii) Provide to the applicant a written explanation of the decision of  
27 the Department and local health officer.

28 (4) (i) A local health department or community-based organization  
29 may appeal an adverse decision by the Department and a local health officer to the Deputy  
30 Secretary for Public Health Services.

31 (ii) The Deputy Secretary shall:

1 1. Grant or deny an appeal within 60 days after receiving an  
2 appeal; and

3 2. Provide a written explanation of the Deputy Secretary's  
4 decision to the local health department or community-based organization.

5 (c) If established under subsection (a) of this section, a Program shall:

6 (1) Provide for substance use outreach, education, and linkage to treatment  
7 services to participants, including distribution and collection of hypodermic needles and  
8 syringes; and

9 (2) Operate in accordance with:

10 (i) The technical assistance of the Standing Advisory Committee;  
11 and

12 (ii) The procedures, plans, and protocols approved by:

13 1. The local health officer for each county in which a Program  
14 is established; and

15 2. The Department.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2020.